

## § 850.37

## 10 CFR Ch. III (1–1–16 Edition)

(c) The responsible employer must have the SOMD obtain a beryllium-associated worker's signature on the informed consent form found in Appendix A to this part, before performing medical evaluations or any tests.

### § 850.37 Training and counseling.

(a) The responsible employer must develop and implement a beryllium training program and ensure participation for:

- (1) Beryllium-associated workers;
- (2) All other individuals who work at a site where beryllium activities are conducted.

(b) The training provided for workers identified in paragraph (a)(1) of this section, must:

- (1) Be in accordance with 29 CFR 1910.1200, Hazard Communication;

- (2) Include the contents of the CBDPP; and

- (3) Include potential health risks to beryllium worker family members and others who may come in contact with beryllium on beryllium workers or beryllium workers' personal clothing or other personal items as the result of a beryllium control failure at a DOE facility.

(c) The training provided for workers identified in paragraph (a)(2) of this section must consist of general awareness about beryllium hazards and controls.

(d) The responsible employer must provide the training required by this section before or at the time of initial assignment and at least every two years thereafter.

(e) The employer must provide retraining when the employer has reason to believe that a beryllium worker lacks the proficiency, knowledge, or understanding needed to work safely with beryllium, including at least the following situations:

- (1) To address any new beryllium hazards resulting from a change to operations, procedures, or beryllium controls about which the beryllium worker was not previously trained; and

- (2) If a beryllium worker's performance involving beryllium work indicates that the worker has not retained the requisite proficiency.

(f) The responsible employer must develop and implement a counseling pro-

gram to assist beryllium-associated workers who are diagnosed by the SOMD to be sensitized to beryllium or to have CBD. This counseling program must include communicating with beryllium-associated workers concerning:

- (1) The medical surveillance program provisions and procedures;

- (2) Medical treatment options;

- (3) Medical, psychological, and career counseling;

- (4) Medical benefits;

- (5) Administrative procedures and workers rights under applicable Workers' Compensation laws and regulations;

- (6) Work practice procedures limiting beryllium-associated worker exposure to beryllium; and

- (7) The risk of continued beryllium exposure after sensitization.

### § 850.38 Warning signs and labels.

(a) *Warning signs.* The responsible employer must post warning signs at each access point to a regulated area with the following information:

DANGER  
BERYLLIUM CAN CAUSE LUNG DAMAGE  
CANCER HAZARD  
AUTHORIZED PERSONNEL ONLY

(b) *Warning labels.* (1) The responsible employer must affix warning labels to all containers of beryllium, beryllium compounds, or beryllium-contaminated clothing, equipment, waste, scrap, or debris.

(2) Warning labels must contain the following information:

DANGER  
CONTAMINATED WITH BERYLLIUM  
DO NOT REMOVE DUST BY BLOWING OR  
SHAKING  
CANCER AND LUNG DISEASE HAZARD

(c) Warning signs and labels must be in accordance with 29 CFR 1910.1200, Hazard Communication.

### § 850.39 Recordkeeping and use of information.

(a) The responsible employer must establish and maintain accurate records of all beryllium inventory information, hazard assessments, exposure measurements, exposure controls, and medical surveillance.

(b) Heads of DOE Departmental Elements must: